

A MEMORIAL

REQUESTING THE CREATION OF A TASK FORCE TO STUDY AND MAKE  
RECOMMENDATIONS ON THE DECRIMINALIZATION OF TRAFFIC OFFENSES.

WHEREAS, nationally, at the state and local government level, jurisdictions are examining the costs to the criminal justice system of the traffic citation warrant process; and

WHEREAS, currently, traffic warrants represent more than one-half of all outstanding warrants; and

WHEREAS, research data demonstrate that criminal traffic warrants do not deter a habitual traffic offender from disregarding traffic laws nor do they provide increased safety on the public highways; and

WHEREAS, some jurisdictions have amended their traffic codes to provide for civil penalties on traffic violations rather than criminal penalties and fines; and

WHEREAS, criminal justice communities that have decriminalized traffic citations agree that decriminalizing the traffic code and recasting traffic violations as civil infractions represents a better use of resources, does not jeopardize public safety and decreases the incarcerated population;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the administrative office of the courts be requested to convene a

task force consisting of representatives from the New Mexico association of counties, the New Mexico municipal league, the public defender department, the New Mexico district attorneys association and the motor vehicle division of the taxation and revenue department to study the feasibility of and procedure for decriminalizing traffic offenses and recasting traffic violations as civil infractions; and

BE IT FURTHER RESOLVED that a representative of the task force report on the study and any recommendations to the appropriate interim legislative committee no later than November 2008; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the administrative office of the courts.